

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEPHEN TURNER, ROCHELLE TURNER)
and THE CINCINNATI INSURANCE)
COMPANY,)
)
Plaintiffs,)
)
vs.)
)
MOEN STEEL ERECTION, INC., a Nebraska)
Corporation,)
)
Defendant and)
Third-Party Plaintiff,)
)
vs.)
)
ENTERPRISE PRECAST CONCRETE, INC.;)
AGA CONSULTING, INC.; CITY OF OMAHA;)
and BERINGER, CIACCIO, DENNELL,)
MABREY, INC. a/k/a ZENON BERINGER,)
MABREY PARTNERS, INC.,)
)
Third-Party Defendants.)

8:06CV227

ORDER

This matter is before the court on the Third-Party Plaintiff's Motion for Leave to File a Second Amended Third-Party Complaint and Join Third-Party Plaintiffs (Filing 213).

The Third-Party Plaintiff ("Moen") seeks to modify the amended third-party complaint to reflect the settlement by Moen and its insurers with plaintiffs for all claims arising from the allegations set forth in plaintiffs' Complaint (Filing 1).

Moen also seeks leave to allow its insurers to be joined as third-party plaintiffs by virtue of their rights of contribution and equitable subrogation against the third-party defendants arising from the discharge of plaintiffs' claims through claimed reasonable settlement.

Moen states the amendment and joinder of third-party plaintiffs will not change the substance of the amended third-party complaint or any deadlines set by the court. Although Moen's motion was filed after the deadline for amending pleadings, counsel for the Third-Party Defendants have no objections.

Upon consideration,

IT IS ORDERED that the Motion for Leave to Amend and Join Third-Party Plaintiffs (Filing 213) is granted, as follows:

1. The Third-Party Plaintiffs shall file a **redacted** copy of their Second Amended Third-Party Complaint on or before October 22, 2007.

2. The Third-Party Plaintiffs shall file an **unredacted** copy of the Second Amended Third-Party Complaint as a restricted document pursuant to the E-Government Act and shall serve the unredacted pleading on all opposing parties no later than October 22, 2007.

DATED this 12th day of October, 2007.

BY THE COURT:

**s/ F.A. Gossett, III
United States Magistrate Judge**